

MAR. 17. 2003 9:33AM

LEYDIG VOIT & MAYER

NO. 6547 P. 3

PATENT  
Attorney Docket No. 202143

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Michael A. Arkes

Group Art Unit: 2164

Serial No. 09/414,951

Examiner: Kyle, Charles R.

Filed: October 8, 1999

For: An Incentive Points Redemption Program  
Carried Out Via An On-Line Auction

**SUPPLEMENTAL RESPONSE/DECLARATION AND  
REQUEST FOR RECONSIDERATION AFTER FINAL**

Commissioner for Patents  
Box: AF  
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated September 23, 2002, please consider the following remarks in view of the concurrently submitted supplemental Declaration of Andrew Perlmutter in support of the previously filed Declaration under 37 C.F.R. §§ 1.131 and 1.132. Reconsideration of the prior grounds for rejection of all the presently pending claims 1-20 is respectfully requested. Applicant has also petitioned for a three-month extension of time.

**REMARKS**

The Final Office Action dated September 23, 2002, and the references cited therein have been carefully considered. Claims 1-20 are presently pending. No claims currently stand allowed. In view of the Supplemental Declaration of Andrew Perlmutter, and for the reasons set forth herein below, the pending claims 1-20 are patentable over the prior art presently known to Applicant. Accordingly, Applicant requests favorable reconsideration of the previous rejection of the pending claims. Please charge any fee deficiencies to Deposit Account No. 12-1216.

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**FACSIMILE COVER SHEET**

DATE: MARCH 17, 2003

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THIS TRANSMITTAL COVER SHEET): 10

TIME: 9:32 AM

YOUR REFERENCE: 09/414/951

OUR REFERENCE: 202143

**TO:** EXAMINER CHARLES R. KYLE  
GROUP 2164  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C.

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FORM PTO-1083

LEYDIG VOIT & MAYER

NO. 6547 P. 2  
**PATENT**  
Attorney Docket No. 202143  
Date: March 11, 2003

In re Application of: Michael A. Arkes  
Application No. 09/414,951  
Filed: October 8, 1999  
For: AN INCENTIVE POINTS REDEMPTION PROGRAM CARRIED OUT VIA AN ON-LINE AUCTION

**COMMISSIONER FOR PATENTS**  
Washington, D.C. 20231

Sir:

Transmitted herewith is a response to an office action in the subject application.

☒ Applicants claim small entity status of this application under 37 CFR 1.27.

☐ Petition for Extension of Time

☒ Applicant petitions for a three-month extension of time under 37 CFR 1.136, the fee for which is \$465.00 (enclosed).

☐ Applicants believe that no petition for an extension of time is necessary. However, to the extent that such petition is deemed necessary, Applicants hereby petition for a sufficient extension of time to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.

☒ No additional claim fee is required.

☒ Other: Declaration of Andrew Perlmutter in Support of Applicant's Prior Declaration under 37 CFR 1.131 and 1.132

The claim fee has been calculated as shown below:

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADDIT. CLAIM FEE	RATE	ADDIT. CLAIM FEE
TOTAL	20	MINUS	20	=0	x 9=	\$	x 18=	\$
INDEPENDENT	2	MINUS	3	=0	x 42=	\$	x 84=	\$
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ 140=	\$	+ 280=	\$
					TOTAL	\$	TOTAL	\$0.00

☒ Please charge my Deposit Account No. 12-1216 in the amount of \$465.00. A duplicate copy of this sheet is attached.

☐ A check in the amount of \$ is attached.

☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216. A duplicate copy of this sheet is attached.

☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

LEYDIG, VOIT & MAYER, LTD.

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By   
Mark Joy, Reg. No. 35,582

Official

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